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## FACSIMILE TRANSMITTAL SHEET

**TO:** Examiner Philogene

**FIRM/COMPANY:** United States Patent and Trademark Office

**FACSIMILE NUMBER:** (703) 872-9302

**CONFIRMATION TELEPHONE:** (703) 308-0858

**FROM:** PAUL A. SCHWARZ, Esq.

**DIRECT DIAL:** 609.919.4408

**DATE:** April 30, 2004

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**TOTAL # OF PAGES:** 12  
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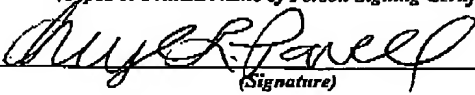
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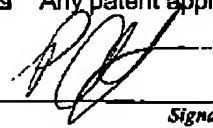
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<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No.
Applicant(s): Bruce Robie et L.			Implex-13
Serial No. 10/035,863	Filing Date December 31, 2001	Examiner Philogene, Pedro	Group Art Unit 3732
Invention: INSTRUMENT SYSTEM FOR PREPARING A DISC SPACE BETWEEN ADJACENT VERTEBRAL BODIES TO RECEIVE A REPAIR DEVICE			
<p>I hereby certify that this <u>Amendment after Final and Amendment Transmittal</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9302</u>)</p> <p>on <u>April 30, 2004</u> (Date)</p> <p><u>Cheryl L. Powell</u> (Typed or Printed Name of Person Signing Certificate)</p> <p><u></u> (Signature)</p> <p>Note: Each paper must have its own certificate of mailing.</p>			

P15/REV01

<b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>				Docket No. Implex-13	
Applicant(s): <b>Bruce Robie et al.</b>					
Serial No. 10/035,863	Filing Date December 31, 2001	Examiner Philogene, Pedro		Group Art Unit 3732	
Invention: <b>INSTRUMENT SYSTEM FOR PREPARING A DISC SPACE BETWEEN ADJACENT VERTEBRAL BODIES TO RECEIVE A REPAIR DEVICE</b>					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
<input type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.					
<input type="checkbox"/> A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	18 -	20 =	0 x	\$9.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0 x	\$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____					
<input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2061					
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.					
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
 _____ <i>Signature</i>			Dated: April 30, 2004		
<b>Paul A. Schwarz, Esq.</b> <b>Registration No. 37,577</b>  <b>Duane Morris LLP</b> <b>100 College Road West, Suite 100</b> <b>Princeton, New Jersey 08540</b> <b>Tel: (609) 919-4408</b> <b>Fax: (609) 919-4401</b>			<div style="border: 1px solid black; padding: 5px;">         I certify that this document and fee is being deposited on April 30, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.       </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <i>Signature of Person Mailing Correspondence</i>   <b>Cheryl L.P. well</b>  <i>Typed or Printed Name of Person Mailing Correspondence</i> </div>		
CC:					

P11SMALL/REV08